

December 9, 2004

**Town of Lincoln – Planning Board
100 Old River Road
Lincoln, RI 02865**

Dear Honorable Members,

On December 7, 2004 at 3:30 pm the Technical Review Committee met to review the agenda items for the December 15, 2004 Planning Board meeting. In attendance were Al Ranaldi, Kim Wiegand, David Lund, Russell Hervieux, Ann Marie Either, and Peggy Weigner. Below are the Committee's recommendations:

Major Subdivision Review

- a. Sunview Street Subdivision AP 13 Lot 31 Public Hearing – 7:15 PM**
- Seminole Development Sunview Street Preliminary Plan
Discussion /
Approval

This application is under the 2001 Subdivision Regulations and represents the subdivision of one lot into two lots. The Planning Board agenda for November had this application down as a minor

subdivision. This was a mistake and should have been down as a major subdivision according to Section 1 Article B (41) request for a waiver from the Subdivision Regulations. Therefore, the plan received Certificate of Completeness on November 1, 2004 in which the Planning Board has 120 days (March 1, 2005) to approve the preliminary plan as submitted, approve with changes and/or conditions, or deny the applicant. The Planning Board approved the application to proceed to the public hearing stage.

The TRC and the Engineering Division reviewed the above proposed development according to the Land Development and Subdivision Regulations preliminary plan submission standards and requirements and standard engineering. While the proposed subdivision represents good land development, it requires one waiver. The subdivision requires a waiver from Section 1, Article B(10) – Buildable lot area. The eastern section of the lot contains slopes greater than 15%. While this situation would not be considered in the planning of larger subdivisions, the applicant has presented photos of the surrounding neighborhood. Based on the photos and a site visit, a large majority of the existing houses in the area have retaining walls or have been built into the slope.

Therefore, based on the submitted plans, the fact that this is a proposal for only one lot, and that a large majority of the surrounding houses either have retaining walls to address the slopes or are built into the slope, the Technical Review Committee feels that this proposed subdivision represents a unique situation in this specific area and recommends that the subdivision be approved. The TRC

would also like to note the requirement of open space fee. The TRC also recommends that final approval be delegated to the administrative officer.

b. Angell Road Subdivision AP 44 Lots 12, 32 Preliminary Plan Discussion/

- Angell Road Development Co. Angell Rd, Whipple Rd Approval

This project represents the subdivision of one lot into thirteen conventional single-family lots. The subject lot contains 11.03 acres of land and is located in zoning district RS-20 (20,000 square feet – Residential Single Family). On August 25, 2004, this new project was certified as complete and referred to the Planning Board for their regularly scheduled September meeting for review as a Master Plan. According to our Subdivision Regulations, the Planning Board shall, within one hundred twenty (120) days of certification of completeness, or within such further time as may be consented to by the applicant, approve the Master Plan as submitted, approve with changes and/or conditions, or deny the applicant, according to the requirements of Section 8. A decision on the Master Plan review must be made by December 23, 2004 or within such further time as may be consented to by the applicant.

The Technical Review Committee and the Engineering Division has reviewed the above-proposed development according to the 2001 Land Development and Subdivision Regulations preliminary plan submission standards and requirements and engineering practice

standards. The submission includes a set of 10 sheets entitled “Master/Preliminary Plan Submission for Angell Road Subdivision”, Lincoln Rhode Island, AP 44 Lot 12, prepared for Leslie W. Sables by Commonwealth Engineers & Consultants, Inc., revised October 20, 2004. The Engineering Division also received and reviewed a report entitled “Storm Water Management Analysis and Design for AP 44 Lot 12 in Lincoln, Rhode Island”, prepared by Commonwealth Engineers & Consultants, Inc., for Leslie W. Sables, revision date June 22, 2004. The Town received a new letter from Ms. Linda Layer, P.E. dated October 14, 2004. A copy of a revised traffic report entitled “Traffic Impact Assessment Report” prepared for the above applicant by the above engineer revision date October 13, 2004 was also recently received. At this stage of review, the applicant is requesting five waivers. The waivers requested are:

1. A waiver from Section 24, Article A (5) – Sidewalks – waiver requested to propose sidewalks on one side of the road only
2. A waiver from Section 1, Article B (10) - Minimum Buildable Lot standard - Proposed Lot #1 due to earthen berm – buildable square footage = 18,141 sqft
3. A waiver from Section 1, Article B (10) - Minimum Buildable Lot standard - Proposed Lot #2 due to earthen berm – buildable square footage = 17,880 sqft
4. 2 ½ : 1 lot depth to width ratio for Lot 3
5. 2 ½ : 1 lot depth to width ratio for Lot 5

The Technical Review Committee has reviewed all the submitted materials and concluded that all major engineering issues have been

successfully addressed. The TRC recommends Approval with the following conditions:

1. Wetlands - The applicant has received an approval from RIDEM Wetlands for the original 15 lot subdivision dated November 5, 2004. An amended permit for the revised plan must be a condition for preliminary approval.

2. Groundwater - The seasonal high ground water elevation must be determined in order to set the house elevations set above the seasonal high ground water elevation. Ground water elevations must be taken and documented during the wet season in the existing test pipes and also in two additional test pipes located also on the northerly side of the property.

3. Sanitary sewers - The developer must establish a maintenance fund for future maintenance and service of the proposed pumping station. The detail for the sewer trench must be modified to conform to current Town standards.

4. Off-Site Improvements – Due to the existing condition of the Angell Road South pump station, the developer is requested to pay for proposed improvements. This station is near to the design capacity for the already existing, platted lots that have paid sewer assessments. This condition is required in order to be able to accept the additional flows from the subdivision without negatively impacting the future ability to connect for the already platted lots. The Town has had some initial conversations with the engineers regarding potential improvements. The TRC recommends the condition of written acceptance of payment for improvements from

the developer at this stage of the process.

5. Traffic - The Traffic Report revised October 14, 2004 recommends mitigation measures for traffic concerns beyond clearing the vegetation on site. The new additional recommendation is to remove a large boulder on the west side of Whipple road south of the proposed Leslie Road that blocks the sight distance. This work must be delineated out in the field prior to site construction and performed by the developer as part of the site development.

6. Open Space – According to our Subdivision Regulation, the proposed development is subject to open space fees for each newly created lot.

7. Landscaped Buffers – Based on the public hearing, the developer agreed to install two evergreen buffer areas. One evergreen buffer area is to be installed on proposed lot #5, along this lot's property line and the property line of existing lot #217. An evergreen buffer is to be installed around the proposed pumping station.

8. Proposed Easements – All proposed easements must be reviewed and approved by the Town Solicitor before final plans are recorded.

9. Remediation Bond – The developer is required to post a cash remediation bond in the amount of \$18,000.00 before any construction can begin.

10. Inspection Fees – The developer is required to pay any and all administrative and inspection fees according to the Subdivision Regulations (Appendix A, Page A).

c. Meadow View Subdivision AP 29 Lot 3 Pre-Application Review /

- Meridian Real Estate Services Great Road Discussion

This project represents the subdivision of one lot into fifteen conventional single-family lots. The subject lot contains approximately 13.0 acres of land and is located in zoning district RS-20 (20,000 square feet – Residential Single Family). The proposed homes are to be serviced by public water and sewers.

The Technical Review Committee and the Engineering Division has reviewed the above-proposed development according to the 2001 Land Development and Subdivision Regulation's pre-application submission standards and requirements and standard engineering practices. The submission includes a set of 5 sheets entitled "Pre-application Submission, Meadow View", located on Great Road, Lincoln, Rhode Island, AP 29 Lot 3, prepared for Meridian Real Estate Services, Inc. by DiPrete Engineering Associates, Inc., dated November 2004, revision date 11/1/04. A document entitled "Pre-Application Narrative and Supporting Material" was also received. For assistance in developing the design, the following comments are offered to the applicant:

Wetlands - The wetlands have been flagged by Natural Resources Services according to the above mentioned Narrative report. RIDEM Wetlands approval will be required for preliminary approval of the subdivision.

Utilities - The subdivision is proposed to be connected to public

sanitary sewers and water. The applicant must request water service availability for the proposed new lots from Lincoln Water Commission and public sewer availability from the Lincoln sewer supervisor. The applicant should note that the Lincoln Water Commission is no longer accepting subdivision plans with dead-ended water lines. The water line must be looped. The Narragansett Bay Commission will need to approve the flows before final approval. The location of any septic systems and wells must be shown on the plans in order to ensure that there is no adverse impact to them from the proposed subdivision.

Drainage – The Technical Review Committee expressed great concern about the potential impacts that site runoff could have on existing abutting properties and Great Road. The TRC also expressed concern about the proposed location and size of the detention basin and its ability to accommodate the water that the site may generate when it is developed. The TRC recommends to the applicant that the drainage issues be fully addressed during the Master Plan stage of the review project.

Seasonal High Groundwater - Due to the known seasonal high groundwater in this area, the subdivision must include the condition that any finished floor or basement must be at least one foot above that elevation. A certified seasonal high groundwater elevation must be established prior to the release of any building permits.

Traffic - Great Road is a narrow and winding road and requires careful review for traffic safety, particularly sight distance. The development requires a report on the impact of traffic on the road and at the intersection to see if improvements are needed. The street lighting needs to be reviewed for safety concerns.

Minimum buildable area - There are several lots that have 15% or greater slopes, wetlands and/or easements. The applicant will need to document the areas of each constraint, taking into account any overlap and then show the minimum buildable area remaining for each lot. The Technical Review Committee could not determine if each lot met the required buildable lot area.

Street Length – The Technical Review Committee could not determine if the proposed roadway is one combined roadway or two roadways. If the proposed road design is considered as two road-ways then the main road way ending in a cul-de-sac measures 720' long. The second road-way that comes off of the main road way, measures 230' long. If the proposed road design is considered as one road-way then the longest point is approximately 740' long. According to the Subdivision Regulations, the maximum distance a proposed road can be is 720' long.

Proposed Lot Configuration - One of the lots, #12 has frontage on two streets making it a through lot which is not legal. The proposed “open space” lot has no viable access therefore is not considered

buildable. The design of a non-buildable lot is not legal.

Sidewalks – The Technical Review Committee has concerns about the functionality of the proposed sidewalk. The proposed sidewalk does not provide a cohesive walkway pattern for the new residents.

Visual Impact to Historic Great Road – The Technical Review Committee has concerns about the visual impact that this development may have on Great Road. This road has been designated as an historic road. The TRC is researching if there are any State or Federal restrictions and/or guidelines associated with this designation.

January Zoning Applications

**Elaine Remillard, 7 Crestwood Lane, Lincoln, RI – Special Use Permit for a Day Care Center located at 1572 Lonsdale Avenue, Lincoln RI.
AP 4, Lot 63 Zoned: RG-7**

Members of the Technical Review Committee visited the site and reviewed the submitted site plans and application. Unfortunately, the site plans or application did not adequately address the committee's

concerns about the parking requirements or present an accurate plan for traffic circulation. The TRC would like to see scaled sited plans that specifically address parking and traffic circulation. In addition, if this special permit application is approved, the TRC has concerns about having the parking located on one separate lot and the building on another. If this application is approved, the TRC would like to recommend that as a condition of approval, that the applicant merge the two lots into one.

**Diane Waters and Susan McGuirl, 2 Shady Brook Circle, Lincoln, RI – Dimensional Variance for the construction of a residential addition.
AP34, Lot 311 Zoned: RS 20**

Members of the Technical Review Committee visited the site and reviewed the submitted plans and application. The TRC recommends approval of this application. The committee finds that the dimensional variance will not alter the general character of the surrounding area and will not impair the intent or purpose of the zoning ordinance, nor the Comprehensive Plan.

**Robert Gaudette Jr., 6 Country Drive, Greenville, RI – Dimensional Variance for front and side set back for the construction of a steel building for inside storage for property located on Lower Road.
AP4, Lot 38 Zoned: ML 0.5**

Members of the Technical Review Committee visited the site and

reviewed the submitted plans and application. The TRC recommends denial of this dimensional variance. The committee finds that the proposed building does not allow for safe vehicular access to the rear of the building. While the applicant owns the property to either side of the subject property, the committee has to view this application on its own merits and as a stand alone lot. With this in mind, access to the northeastern corner of the building would be very limited and therefore a safety hazard. Since this is a vacant lot and the applicant has the choice of building sizes, the committee finds that the relief requested is not the least relief necessary.

Respectfully Submitted,

Albert V. Ranaldi, Jr. AICP

Administrative Officer to the Planning Board